

[~116H6006]

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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend section 923 of title 18, United States Code, to require an electronic, searchable database of the importation, production, shipment, receipt, sale, or other disposition of firearms.

IN THE HOUSE OF REPRESENTATIVES

Mr. PASCRELL introduced the following bill; which was referred to the Committee on _____

A BILL

To amend section 923 of title 18, United States Code, to require an electronic, searchable database of the importation, production, shipment, receipt, sale, or other disposition of firearms.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Crime Gun Tracing
5 Modernization Act of 2021”.

1 **SEC. 2. ELECTRONIC, SEARCHABLE DATABASES.**

2 Section 923(g) of title 18, United States Code, is
3 amended by adding at the end the following:

4 “(8)(A) In this paragraph, the term ‘foreign intel-
5 ligence information’ has the meaning given the term in
6 section 101 of the Foreign Intelligence Surveillance Act
7 of 1978 (50 U.S.C. 1801).

8 “(B) Not later than 3 years after the date of enact-
9 ment of this paragraph, the National Tracing Center of
10 the Bureau of Alcohol, Tobacco, Firearms, and Explosives
11 shall establish and maintain electronic, searchable data-
12 bases of all records within its possession of the importa-
13 tion, production, shipment, receipt, sale, or other disposi-
14 tion of firearms required to be submitted to the Bureau
15 of Alcohol, Tobacco, Firearms, and Explosives by persons
16 licensed under this chapter.

17 “(C) Each licensee under this chapter may provide
18 the National Tracing Center with electronic access, con-
19 sistent with the requirements of this paragraph, to all
20 records within the licensee’s possession that are required
21 to be kept under this chapter.

22 “(D) A licensee may voluntarily relinquish possession
23 of any non-electronic record required to be kept under this
24 chapter to the Bureau of Alcohol, Tobacco, Firearms, and
25 Explosives if—

1 “(i) 10 years have elapsed from the date of the
2 firearm transaction; or

3 “(ii) in the case of paper acquisition and dis-
4 position books, 10 years have elapsed without any
5 open disposition entries and with no dispositions re-
6 corded in the record.

7 “(E) The National Tracing Center—

8 “(i) shall have remote access to and may query,
9 search, or otherwise access the electronic databases
10 described in this paragraph; and

11 “(ii) may, with the permission of a State, or po-
12 litical subdivision of a State, have remote access to,
13 and may query, search, or otherwise access the data-
14 bases of the firearms registration system or pawn-
15 broker records system of the State or political sub-
16 division.

17 “(F) The National Tracing Center may query,
18 search, or otherwise access the electronic databases de-
19 scribed in this paragraph for only the following purposes:

20 “(i) To obtain information related to a bona
21 fide law enforcement investigation by a Federal,
22 State, local, tribal, or foreign law enforcement agen-
23 cy.

24 “(ii) To obtain information that is—

25 “(I) foreign intelligence information; or

1 “(II) necessary to understand, or assess
2 the importance of, foreign intelligence informa-
3 tion.

4 “(iii) To obtain information necessary during a
5 compliance inspection of an active licensee who has
6 submitted non-electronic records in accordance with
7 subparagraph (D).

8 “(G) The databases established under this para-
9 graph—

10 “(i) shall be electronically searchable by date of
11 acquisition or disposition, license number, and the
12 information identified on each firearm or other fire-
13 arm descriptor, including the manufacturer, im-
14 porter, model, serial number, type, and caliber or
15 gauge;

16 “(ii) shall not be electronically searchable by
17 the personally identifiable information of any indi-
18 vidual; and

19 “(iii) shall include in search results the entire
20 contents of the relevant records kept by the licensee.

21 “(H) This paragraph shall take effect notwith-
22 standing any other provision of law, including any tem-
23 porary or permanent restrictions placed on funds made
24 available to the Bureau of Alcohol, Tobacco, Firearms,
25 and Explosives, or the Department of Justice.”.